

October 13, 2022

Via Electronic Mail and U.S.P.S Priority Mail

Fernando Pineiro, (DHS-ICE)
500 12th Street, SW, Stop 5009
Washington, DC 20536-5009
Email: ice-foia@dhs.gov

**RE: Inquiry and Modification of FOIA Request for Records Related to the
Dedicated Docket Program
Case Number: 2022-ICFO-23100**

Dear FOIA Officer:

I write to follow up on a FOIA request. On July 12, 2022, I submitted a FOIA request to your office via email and mail. I received an automatic reply email that same day acknowledging receipt of my email and assigning the request to case number 2022-ICFO-23100. On September 6, 2022, my office sent additional correspondence (via email and via U.S. First Class Mail) inquiring about the FOIA request in light of the fact that the time provided for response per the DHS FOIA regulations had expired. On September 16, 2022, I received an email response indicating that the request had been tasked to a program office to search for responsive records. According to your acknowledgment email and DHS FOIA regulations, ICE has 20 days to respond, with a 10-day extension. Our request was submitted over 90 days ago.

I am now writing to narrow the request as is consistent with an offer to narrow a similar FOIA request filed with the Executive Office of Immigration Review (EOIR).

The requestor modifies the original request and seeks the following records¹ prepared, received, transmitted, collected, and/or maintained by the Department of Homeland Security, and specifically the sub agency, Immigration and Customs Enforcement (ICE):

¹ The term "records" as used herein includes all records or communications preserved in electronic or written form, including but not limited to correspondence, documents, data, videotapes, e-mails, faxes, files, guidance, guidelines, evaluations, instructions, analyses, memoranda, agreements, notes, orders, policies, procedures, protocols, reports, rules, manuals, technical specifications, training materials, and studies.

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All records from January 2021 through the present that include the term “Dedicated Docket,” *that were created by or sent from the following individuals/positions within the Department of Homeland Security (DHS):*

1. Secretary, Department of Homeland Security (DHS)
2. Deputy Secretary, Department of Homeland Security (DHS)
3. Chief of Staff, Department of Homeland Security (DHS)
4. Executive Secretary, Department of Homeland Security (DHS)
5. General Counsel, Department of Homeland Security (DHS)
6. Director, U.S. Immigration and Customs Enforcement (ICE)
7. Deputy Director, U.S. Immigration and Customs Enforcement (ICE)
8. Principal Legal Advisor, Office of Principal Legal Advisor (OPLA)
9. Deputy Principal Legal Advisor for Enforcement and Litigation, Office of Principal Legal Advisor (OPLA)
10. Chief of Staff, Office of Principal Legal Advisor (OPLA)
11. Chief Counsel, Office of Principal Legal Advisor (OPLA) for all offices for which OPLA attorneys are appearing before the Immigration Courts where Dedicated Docket cases are being handled.²
12. Deputy Chief Counsel, Office of Principal Legal Advisor (OPLA) for all offices for which OPLA attorneys are appearing before the Immigration Courts where Dedicated Docket cases are being handled.³
13. Field Office Director, Enforcement and Removal Operations (ERO) for all offices that fall within the jurisdiction of the Immigration Courts where Dedicated Docket cases are being handled.⁴
14. Deputy Field Office Director, Enforcement and Removal Operations (ERO) for all offices that fall within the jurisdiction of the Immigration Courts where Dedicated Docket cases are being handled.⁵
15. Assistant Field Office Director, Enforcement and Removal Operations (ERO) for all offices that fall within the jurisdiction of the Immigration Courts where Dedicated Docket cases are being handled.⁶

As was indicated in the original request, Requestor *does not* request the record of proceedings, immigration court files, or other records of individual noncitizens' removal proceedings. Requestor also *does not* request EOIR database records.

² The 11 known Immigration Courts where Dedicated Docket cases are being handled include: Boston, Denver, Detroit, El Paso, Los Angeles, Miami, Newark, New York City, San Diego, San Francisco, and Seattle. In the event that there are additional courts handling the Dedicated docket, this request asks for records from those locations as well.

³ See FN 2.

⁴ See FN 2.

⁵ See FN 2.

⁶ See FN 2.

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The Requestor renews its request for a fee waiver or reduction of all costs as well as expedited processing.

I trust that this limitation and narrowing of senders/recipients will allow the agency to promptly review and release records within 20 days as is statutorily required.

Please send responsive records to:

Lisa Weissman-Ward
Stanford Law School Immigrants' Rights Clinic
559 Nathan Abbott Way
Stanford, CA 94305

or

LWeissmanward@law.stanford.edu

Thank you for your attention. Please contact me with any questions or concerns at lweissmanward@law.stanford.edu or 650-724-7396.

Sincerely,



Lisa Weissman-Ward, Stanford Law School
Immigrants' Rights Clinic, Attorney
On Behalf of the Justice and Diversity Center of
The Bar Association of San Francisco